

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL A. RILEY,)	CASE NO. C09-1013-RSL-MAT
)	
Plaintiff,)	
)	
v.)	ORDER TO SHOW CAUSE
)	REGARDING SERVICE
ROBERT J. PALMQUIST, et al.,)	
)	
Defendants.)	
_____)	

Plaintiff proceeds *pro se* and *in forma pauperis* in this 42 U.S.C. § 1983 civil rights case. Plaintiff named Robert J. Palmquist, Warden of the Federal Detention Center (FDC) SeaTac, and Doctor Davis, Clinical Health Director, FDC SeaTac, as defendants and the Court directed service on those defendants. (Dkt. 9.) Because the defendants did not return waivers of service of summons, the Court ordered defendants to show cause why the Court should not direct that they be served personally and why the cost of personal service should not be assessed pursuant to Rule 4(d)(2). (Dkt. 12.) In response, the United States Attorney's Office submitted a letter indicating that neither Palmquist, nor Davis were employed at FDC SeaTac at the time the Court ordered service and that, given the volume of mail processed at that facility,

01 it is unable to forward or return undeliverable mail. (Dkt. 13.) Therefore, to date, neither
02 named defendant has received the order directing service, which included the complaint and
03 waivers of service of summons.

04 Plaintiff has an obligation to provide the addresses of defendants and, without that
05 information, service cannot be effectuated. Pursuant to Federal Rule of Civil Procedure 4(m),
06 there is a 120 day time limit for service. A substantial period of time has already passed since
07 plaintiff filed his complaint. However, within that time, there was no response from the order
08 directing service from defendants and a considerable delay before the Court filed an order to
09 show cause regarding waiver of service and received the above-described response from the
10 United States Attorney's Office. Accordingly, the Court finds it appropriate to begin the 120
11 day time limit accounted for in Rule 4(m) from the date of this Order. Before the expiration of
12 that time period, plaintiff must provide current addresses for the named defendants or otherwise
13 effectuate service on those defendants. Failure to comply with this time limit may result in
14 dismissal of this action. *See* Fed. R. Civ. P. 4(m).

15 The Clerk is directed to send copies of this Order to plaintiff, to the United States
16 Attorney's Office, and to the Honorable Robert S. Lasnik.

17 DATED this 11th day of March, 2010.

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20 Mary Alice Theiler
21 United States Magistrate Judge
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